Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of	)	
	)	
Review of Part 15 and other Parts of the	)	ET Docket 01-278
Commission's Rules.	)	RM-9375
	)	RM-10051
	)	

INTRODUCTION

The Information Technology Industry Council (ITI) represents the leading U.S. providers of information technology products and services. In 2000, ITI member companies employed more than one million people in the United States and exceeded $668 billion in worldwide revenues.

The Federal Communications Commission (FCC) through their Notice of Proposed Rulemaking, FCC ET Docket 01-278, proposes a number of changes to Part 15 and other Parts of the FCC Rules. These changes are intended to simplify various processes and procedures mandated by the Rules. While the proposals cover a variety of issues, ITI will confine its comments to those that impact Information Technology Equipment (ITE).

DECLARATION OF CONFORMITY PRODUCT LABELS

The Commission proposes simplifying the labels used for products which have been authorized under the Declaration of Conformity (DoC) process. The Commission recognizes that some of the information required on the labels is redundant and unnecessarily increases the size of the label. As equipment becomes smaller, this

becomes a more significant issue for manufacturers. Two changes to the labels are being proposed:

- The requirement for the statement "For Home or Office Use" is proposed to be deleted from the label since it is unnecessary.
- The statement on the label for tested products that states that the product was tested is proposed to be deleted, while keeping the statement that the complete system was not tested for personal computers authorized by virtue of having been assembled from authorized components.

These changes are beneficial to the ITE industry as they permit smaller approval labels for products authorized under the DoC process. Subsequently, less product 'real estate' needs to be provided for FCC labels if these changes are implemented. ITI applauds this positive proposal.

Furthermore, ITI suggests the Commission codify the generally accepted ability to separate the "Trade Name" and "Model Number" from the FCC DoC logo to other locations on the product's compliance label or product's surface. Otherwise, critical space on the compliance label may contain redundant information.

ELECTRONIC LABELING OF PRODUCTS

The Commission seeks comments on whether the Rules should be amended to allow electronic labeling of products authorized under the DoC procedure, in lieu of traditional labels that are presently used. Electronic labeling allows the identification information for a product such as the FCC identification number to be displayed by means such as a light emitting diode (LED) or liquid crystal display (LCD) screen rather

than on a printed label affixed to the product. What's more, this has already been proposed for Software Defined Radios under ET Docket 00-47.

This proposed change would be beneficial to the ITE industry for products which already have such displays where the identifying marks could be maintained in NVRAM and displayed on start-up, or on demand while the product is operating. ITI recommends that electronic labeling be allowed for all FCC required labels. This proposed change would reduce costs associated with special labels on products that share a common platform, but have different versions. This change would also further enhance the economy of production while still serving the Commission's need for unique approval marking of products. Suggested wording for §2.925 d) is:

> **In order to validate the grant of equipment authorization, the nameplate or label shall be permanently affixed to the equipment and shall be readily visible to the purchaser at the time of purchase or, for equipment with an LED, LCD or similar display device, an electronic label may be used. An electronic label must be readily accessible, i.e., via a menu option or a hotkey. Additionally, the user manual must include information on how to access the electronic label**.

ALTERNATIVE CONSUMER INFORMATION MEDIA

The Commission proposes the adoption of ITI's request to allow a manufacturer to provide required information to users in whatever form the user manual is provided. The result of this proposal is that paper, computer disk, CD-ROM or the Internet would be acceptable media for transmitting the FCC required user information to the user. The Commission is particularly interested in comments on using the Internet as the delivery medium to the user as they relate to potential accessibility problems for consumers without Internet access.

Also, by permitting the required information to be provided by an alternative means, accessibility by the disabled community can be enhanced. Using computers to access information may in fact be easier than using traditional print media since software is available that "reads" website information to the user. Other software "magnifies' website information so that viewing is easier.

Several ITI member companies have expressed a desire to be allowed to provide the user warnings and information statements in the same medium as the user manual. This will result in a cost savings to industry and should be supported. A concern has been expressed by the Commission about consumer access to the information if it is only provided on the Internet. This concern can be addressed by limiting this option to products that would typically be used with Internet access. Without Internet access, the product would not function and an inability to access the information would be immaterial. Suggested text for implementing §15.21, §15.27(a) and §15.105 (e) is:

> **The information required by this section must be provided to the user in the same form that the user manual is supplied.**

ELIMINATION OF FCC LABORATORY LIST FOR ACCREDITED LABORATORIES

The Commission proposes eliminating FCC laboratory listing for laboratories that are accredited by A2LA or NIST NVLAP under the guidelines in ISO/IEC 17025. Under this proposal, the accrediting body would be required to provide the FCC with "certain minimum information" about the laboratory eliminating duplicative paperwork. This information, which would be readily available from the accrediting body's files, is proposed to include the laboratory name, address, contact information, scope of

accreditation, date of accreditation and date by which the accreditation must be renewed. In addition, the FCC is proposing clarification of the Rules for accrediting laboratories outside of the U.S. to allow recognizing the accreditation of such laboratories under the following conditions:

- The laboratory has been designated by a foreign designating authority and recognized by the Commission under the terms of a government-to-government Mutual Recognition Agreement or Arrangement; or
- The laboratory has been recognized by the Commission as being accredited by an organization that has entered into an agreement between accrediting organizations and the arrangement has been recognized by the Commission

Currently, the process for accepting laboratories outside the U.S. is described by the FCC Rules §2.948(d)(1) and §2.948(d)(2) as follows:

> (1) In addition to meeting the above requirements, the accreditations of laboratories located outside of the United States or its possessions will be acceptable only under one of the following conditions:
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> (i) If there is a mutual recognition agreement between that country and the United States and that laboratory is covered by the agreement;
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> (ii) If there is an agreement between accrediting bodies that permits similar accreditation of U.S. facilities to perform testing for products marketed in that country; or
>
> (iii) If the country already accepts the accreditation of U.S. laboratories.
>
> (2) Organizations outside of the United States that seek to become accreditors may seek agreements with approved United States accrediting bodies to mutually recognize the accreditation of laboratories. The Commission will review such agreements and will consult with the Office of the United States Trade Representative and other Executive Branch agencies before accepting them for purposes of the DoC procedure in order to ensure that the respective foreign countries accept United States accreditations and do not impose additional barriers upon United

> States companies. Accrediting bodies located outside of the United States will only be permitted to accredit laboratories within their own country for DoC testing.

This proposed change simplifies the conditions under which a foreign laboratory may be accredited for testing under the FCC. This will be an improvement in the process of obtaining approval to use foreign laboratories for testing for a DoC.

However, another option whereby a foreign laboratory may be acceptable to the Commission does not appear to be addressed by this proposal. This third option permits a foreign laboratory to be accredited by either A2LA or NIST NVLAP. ITI requests that this option also be called out by adding an additional section to the Rules. Suggested text for this alternative in §2.948 (e)(3) is: "If the laboratory has been accredited by A2LA or NVLAP.

ITI proposes that the FCC proposed wording in §2.948 (b)(8) be changed from "for equipment that will be measured on an open field site" to "for equipment that will be measured at a measurement facility". This will remove a perceived restriction in measurement facilities that would preclude the use of RF semi-anechoic chambers and other such measurement facilities.

UPDATE §15.31 TO ANSI C63.4-2000

The Commission proposes to update §15.31 of the Rules to remove references to measurement procedures that are no longer used and to correct the Commission's mailing address. The reference to ANSI C63.4 will be updated to show ANSI C63.4-2000.

ANSI C63.4-1992 is no longer available and the Commission has issued a Public Notice that ANSI C63.4-2000 is currently acceptable. ITI strongly supports this

proposal. ANSI C63.4-2000 furthers the harmonization between CISPR 22 and ANSI C63.4 and is a positive action for the ITE industry. However, ITI is concerned overall with the pace at which test standards are updated and the resulting time lag that occurs between their adoption and codification in the Rules. ITI suggests the FCC investigate a way to publicize acceptance of the latest version of ANSI C63.4 (and other documents) in a more timely manner.

ITI requests the Commission to address an omission in the Part 15 Rules on measurements requirements. Under Part 15.31 (6) the exclusions to the ANSI C63.4 standard should also include section 8.2.2 of ANSI C63.4, which addresses the use of a calibrated rod antenna for radiated measurements below 30 MHz. Currently, the FCC lab and TCB's only accept data taken with a calibrated loop antenna. ITI asks the Commission to address this oversight when updating the Part 15 Rules and clarify that only a calibrated loop antenna is acceptable for data taking.

PART 15 EMISSION LIMITS ABOVE 2 GHZ

The Part 15 Rules contain the technical requirements for RF devices that may be operated at a low power output without individual licenses. The requirements include conducted and radiated emissions limits for both intentional and unintentional radiators operating under Part 15 Subpart B and C of the Commission Rules. Over the last several years, there has been a dramatic increase in use of spectrum above the 2 GHz frequency, however, the Commission has not changed the requirements for spurious emission limits.

There is a concern to maintain a fair balance between protecting the licensed service equipment from interference while not over burdening the unlicensed devices with too excessively stringent limits.

Elements that need consideration include the development of an effective test method to measure numerous unintentional emissions. In addition, as frequency increases, the directivity and mitigation issues change dramatically which indicates that various *stepping in limit* would be appropriate below 1 GHz. Considering the use of the radio spectrum, these steps may be appropriate at 6 GHz, 10.5 GHz and above 15 GHz.

Both the ANSI C63 and CISPR SC I committees are examining measurements above 1 GHz. Therefore, ITI encourages the Commission to work with these groups to develop limits and methods that will both protect licensed services as well as unlicensed products.

ITI supports the proposed change to re-designate some of the frequency-restricted band above 38.6 GHz. The Commission has already opened up several frequency bands above 38.6 GHz for unlicensed devices. Operation in these bands is usually confined to the limits as stated in §15.209 for unlicensed transmitters since they fall into a currently restricted band. ITI believes that removing some of the restrictions on the bands above 38.6 GHz may open up the market for new unlicensed services. Subsequently, manufacturers will begin developing products in the bands designated for unlicensed services.

DATA TRANSMISSION BY REMOTE CONTROL

ITI supports the relaxation on the restrictions of data being transmitted by remote controls operating according to §15.231 of the FCC Rules. Considering the rapid changes in technology and the demand by users for more data, limiting the transmissions to non-data is no longer practical. The proposed change permitting a limited data stream for the

operating instructions for devices or other such data under this section would not lead to an increase in interference from these devices.

EXEMPTION FOR VERY LOW POWER DEVICES

ITI believes that without testing it is not possible to know that a product is 40 dB under the limit. Once this testing is performed, the additional burden imposed by Verification is minor in nature. We support the removal of the Certification process for very low power devices operating below 490 kHz and support the change to the Verification approval process.

SUMMARY

ITI applauds these proposed changes to the Commission's Rules and looks forward to their speedy adoption. They represent improvements to the Rules by making them less burdensome to industry while still allowing the Commission to achieve it's legitimate goal of minimizing interference to licensed radio and television services.

Respectfully submitted,

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Information Technology Industry Council